

IN THE UNITED STATES DISTRICT COURT

FOR WESTERN DISTRICT

**FILED**

FEB 25 2022

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

TOOTLE V. LONG

1:20-CV-0235

COUNTS:

Count #1: First Amendment (Free Exercise Clause)

NARRATIVE STATEMENT OF FACTS:

Plaintiff Tootle alleges "unlawful confiscation and prohibition of his religious literature." (ECF 14, P1). On May 11, 2019, Plaintiff was escorted to the Restricted Housing Unit ("RHU") at SCI Forest for unspecified reasons. Prior to being escorted to the RHU Plaintiff packed his religious literature, his Noble Qur'an, two Mushaf's and multiple other religious books, as it was the Blessed Month of Ramadan. (ECF P8).

While in the RHU for thirteen days (roughly half of Ramadan), Plaintiff repeatedly asked Defendant Long to provide him with his Qur'an, but Long refused to. (ECF P8). Because Long refused to provide Plaintiff with his Qur'an, Plaintiff refused to sign the RHU inventory sheet, despite Long insisting. As a result of Long not providing Plaintiff with his Qur'an, he "substantially burdened " Plaintiff's sincerely held religious belief in a major tenet of the Islam faith because Muslims may be punished by Allah when they do not read/recite the Qur'an during Ramadan.

Therefore, Defendant Long depriving the Plaintiff his Qur'an was knowing, deliberate, and without good cause. Thus intentionally violating Plaintiff's First Amendment right to freely exercise his religion.

**WITNESS TO BE CALLED AND/OR MENTIONED:**

**INMATE WITNESSES TO BE CALLED:**

Brian Tootle LS-1066

Damon (Last Name) LU-5460

This witness was Plaintiff's cell-mate the entire in the RHU. Who, also requested for Long to issue the Plaintiff his Qur'an.

**SCI FOREST GUARDS:**

Correctional Officer Long

**EXHIBIT LIST:**

- A. Mushaf (All Araibic Qur'an)
- B. The Noble Qur'an
- C. RHU Inventory Sheet
- D. Department Of Corrections Code Of Ethics
- E. Inmate Grievance #104559

CERTIFICATE OF SERVICE

I Brian Tootle, Pro Se Plaintiff, hereby certify on February 18, 2022, I caused to be served a true and correct copy of the foregoing document title **NARRATIVE STATEMENT OF FACTS** to be served to the below Court and involved party via U.S. Postal Service "Certified Male".

United States District Court

Western District Of Pennsylvania

17 South Park row

Erie, PA 16501

By: Brian Tootle

Pro se Plaintiff

Annamarie Truckley

Office of Attorney General

1251 Waterfront Place

Mezzanine Level

Pittsburgh, PA 15222

February 18, 2022

BRIAN TOOTLE LS-1066  
SCI FOREST P.O. BOX 307  
MARIENVILLE, PA 16239

February 18, 2022

United States District Court  
Western District Of Pennsylvania  
Clerks Office - RM A150  
17 South Park Row  
Erie, PA 16501

Dear Clerk of Courts,

Enclosed, is a copy on my " Narrative Statemnet of Facts, Witness List, and Exhibit List." Thank you,  
for your time and consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Brian Tootle".